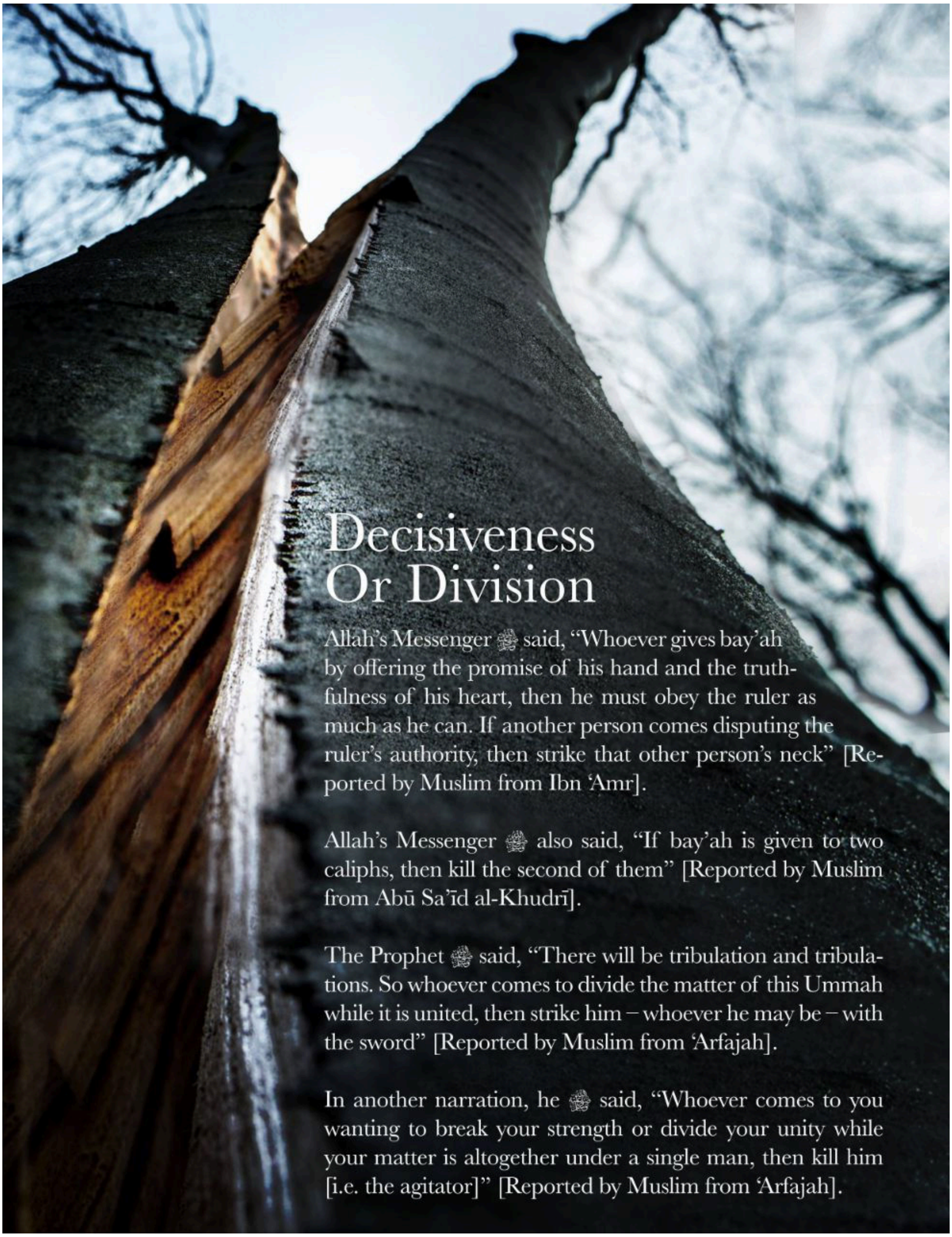


Decisiveness Or Division

Allah's Messenger ﷺ said, "Whoever gives bay'ah by offering the promise of his hand and the truthfulness of his heart, then he must obey the ruler as much as he can. If another person comes disputing the ruler's authority, then strike that other person's neck" [Reported by Muslim from Ibn 'Amr].

Allah's Messenger ﷺ also said, "If bay'ah is given to two caliphs, then kill the second of them" [Reported by Muslim from Abū Sa'īd al-Khudrī].

The Prophet ﷺ said, "There will be tribulation and tribulations. So whoever comes to divide the matter of this Ummah while it is united, then strike him – whoever he may be – with the sword" [Reported by Muslim from 'Arfajah].

In another narration, he ﷺ said, "Whoever comes to you wanting to break your strength or divide your unity while your matter is altogether under a single man, then kill him [i.e. the agitator]" [Reported by Muslim from 'Arfajah].

الطائفة الممتنعةتنعة

(TAIFAH AL MUMTANIAH)

A question posed to Shaykh Nasir Al Fahd (فلك الله اسرة):

1) What is the reply to the one who says that there are two views regarding the (الطائفة الممتنعة) resisting group?

2) As well what is the reply to one who denies the Ijma' that Ibn Taymiyyah (رحمه الله) mentioned and he says, "I looked at the (claimed) ijma'' and I could not find it?"

3) And how can there be an Ijma' of Sahābah then the Fuqaha' come after them disagreeing with this ijma' that is stated on their kufr?

Answer: The speech regarding the tāifah mumtani'ah (الطائفة الممتنعة) is broken down into two parts:

A. Collecting the speech surrounding it.

B. The reason for their kufr.

The first part: The tāifah mumtani'ah (الطائفة الممتنعة) that is resisting the clear apparent laws of the Sharī'ah has two rulings with regards to it.

A. Fighting it. Regarding this, all the Fuqaha' in all the madha'eb agree.

B. Their kufr. Regarding this, the Fuqaha' have two notable opinions. From the understanding of the Sahābah is that they all agreed on their kufr. But their ijma' is not from their speech. Rather, it is from investigating and looking at their actions. That is also how all the Fuqaha' agree that the Sahābah had an Ijma' on fighting them. They (the Fuqaha') however, disagree on how to label them.

Do we fight them as ahlu riddah or do we fight them as bāghī (rebels)?

This is not what is mentioned in the speech of Shaykhul Islam in some places and that is surrounding the reason on fighting them. Is it because they are murtaddeen?

This position (on them being murtaddeen) is what is apparent from Al Bukhari when he named the chapter regarding the Hadith on Abu Hurayrah with regards to those who fought refusing to pay the Zakāh. The Chapter on killing those who refuse to accept the obligatory acts and those associated with riddah. So, they were labelled as murtaddeen for not accepting and complying with the obligation of Zakāh.

When we speak on this issue then we must know that Shaykhul Islam did not mention an Ijma' regarding their kufr. Rather, he mentions an Ijma' with regards to fighting them. The texts mentioning the Sahābah, all agreeing that they are ahlu riddah comes by way of deduction and not by an explicit statement from the Sahābah.

The saying that there is an Ijma' of Sahābah is from their explicit actions, and it is their fighting. There is no disagreement amongst the Fuqaha' with that. But with regards to the reason for fighting them then this is not as explicit. This is the difference regarding it and it is not said that one who disagrees with their kufr that he has violated the Ijma' and so then he has disbelieved because this is an Ijma' Qatī'. (Ijma' Qatī' is like the five salah in which if one was to deny this then he becomes a kāfir). This is however a matter of investigating and deducting from their actions. So, it is Thanni (Thanni Ijma' is where the texts aren't as explicit and only known through thorough research).

The second part: It is with regards to takfir on the tāifah mumtani'ah. Know, that the heart needs qawl (statements) and 'amal (actions). The qawl of the heart is tasdīq (acknowledgment/affirmation) and the 'amal of the heart is istislām and inqiyād (submission and compliance). What goes against the qawl of the heart is takthīb (belying) and what goes against its 'amal is resistance. The one who has one or both of those disbelieves and leaves the Millah.

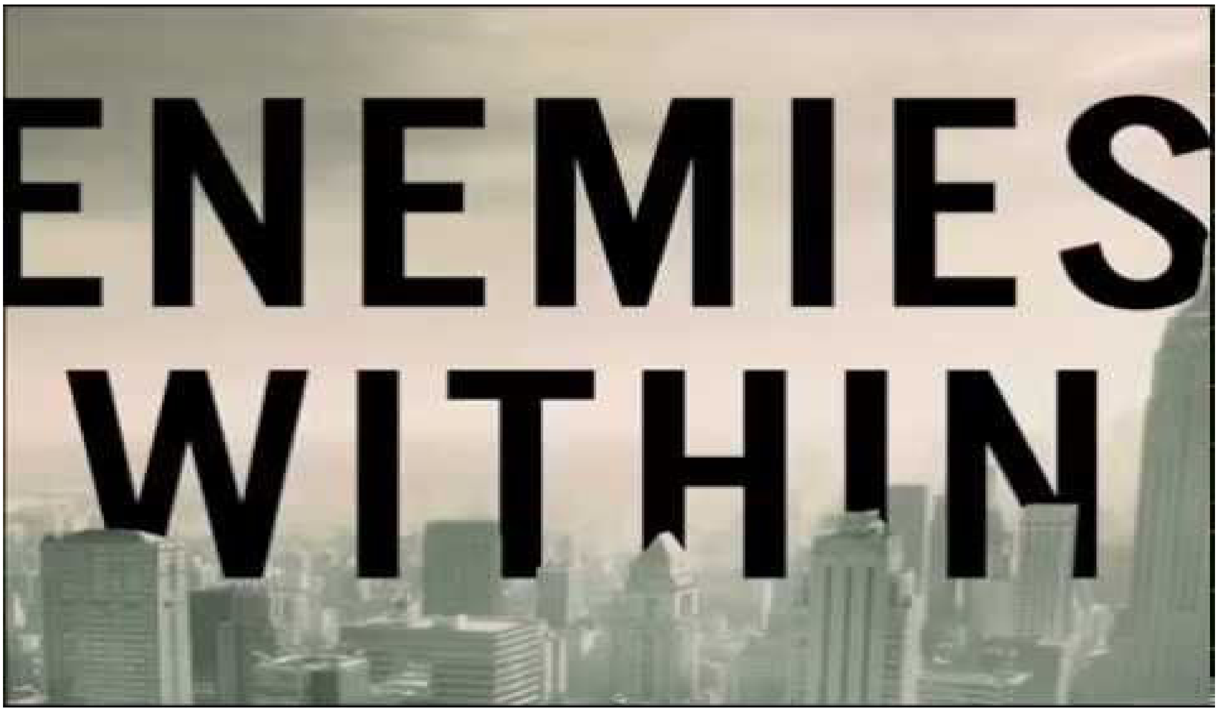
If a man has tasdīq but he arrogantly and stubbornly resists accepting something from the Sharī'ah that is apparent and established he disbelieves. This is like one who leaves salah out of laziness (not rejecting it), is called to perform it and he refuses to do so with the sword. Ibnu Taymiyyah and Ibnul Qayyim both said this one is a kāfir by ijma'.

So, one can either bely or either he can arrogantly refuse (or both). It would never be acceptable for one to differ over that issue. Ibnu Taymiyyah stated that if one was to say, "if you killed someone like him then that is killing a Muslim," has fallen into the doubts of the murjiah. And also like them from the people of desires.

It could be that one resists in accepting and complying to what is haram, although he has tasdīq in the prohibition. This is frequently found in those who are now called intellectuals. We will find a lot of them arrogantly resisting accepting some of those obligatory acts like Jihad, commanding good and other than them. Also, with some of the acts that are haram like music, unveiling oneself, and others similar to it. This is a disobedient arrogant kāfir except in the case where the arrogant resisting is hidden and one is not able to know fully (if this applies). Then the foundational principle is disobedience and not kufr.

The evidence, however, may show and indicate the existence of this resistance. Then if the ruling regarding them appears, is evident, and it is established, then know that whoever agrees or joins that group gets the same rulings. He would then be connected onto their arrogant resisting to accept and comply to the Sharī'ah and in their cause and reason for kufr.

Then when it is established that they are resisting accepting and complying to anything from the Sharī'ah there is no distinction between the individual and the group (they get the same ruling). Unless the individual has no way of knowing and the matter is hidden then his asl is still Islam. (Like an individual who is in a group that calls for Sharī'ah but he doesn't know the leaders fell into kufr). Unlike the group that openly agrees on deterring obligatory duties, as an example, and the evidence for their arrogant resistance is available. Allahu 'alam.



https://theghurabah.blogspot.com/2016/09/regarding-taifah-mumtaniah.html